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## COMMERCE & TRANSPORT (TRANSPORT) DEPARTMENT

### NOTIFICATION

The 15th July 2006

No. 6353—FE-II-Case-1/2005-T.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Orissa is pleased to make the following rules regulating the Method of Recruitment and Conditions of Service of Clerks of the Offices Subordinate to Transport Commissioner-*cum*-Chairman, State Transport Authority, Orissa, namely :—

Short title  
and  
commence-  
ment.

1. (1) These rules may be called the Orissa Transport Ministerial Services (Method of Recruitment and Conditions of Service of Clerks in the Offices subordinate to Transport Commissioner-*cum*-Chairman, State Transport Authority, Orissa) Rules, 2006.

(2) They shall come into force on the date of their publication in the *Orissa Gazette*.

Definitions.

2. (1) In these rules, unless the context otherwise requires,—

- (a) “Appointing Authority” means the Transport Commissioner-*cum*-Chairman, State Transport Authority, Orissa ;
- (b) “Commissioner” means the Transport Commissioner, Orissa ;
- (c) “Committee” means Departmental Promotion Committee constituted under Rule 10 ;
- (d) “Departmental Examination” means the Accounts Examination i.e., Preliminary and Final Examination conducted by the Madhusudan Das Regional Academy of Financial Management ;
- (e) “District Offices” means the Regional Transport Offices headed by the Regional Transport Officers and includes the Office of the Principal, Driving Training School, Offices of Deputy Commissioner, Transport (Zonal) and Offices of Transport Magistrate ;

- (f) “Division” means Revenue Division constituted under Section 2 of the Orissa Revenue Divisional Commissioner Act, 1957 (Orissa Act 19 of 1957) ;
- (g) “Government” means Government of Orissa ;
- (h) “Ministerial Servant” shall have the same meaning as assigned to it under Rule 29 of the Orissa Service Code ;
- (i) “Physically Handicapped” means a person who has been granted a Disability Certificate by the Competent Authority as per provisions under Rule 4 of the persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Orissa Rules, 2003 ;
- (j) “Recruitment Examination” means the Competitive Examination conducted by the Staff Selection Commission, Orissa for appointment to the post of Junior Clerks in the Offices subordinate to the Transport Commissioner-*cum*-Chairman, State Transport Authority, Orissa ;
- (k) “Scheduled Castes and Scheduled Tribes” means such castes and such tribes as are notified from time to time, by the President of India under Articles 341 and 342 of the Constitution of India, respectively ;
- (l) “S.E.B.C.” means “Socially and Educationally Backward Class” of citizens other than the Scheduled Castes and Scheduled Tribes as mentioned in Notification No. 25455 (TW), dated the 10th September 1993 issued by Government of Orissa in erstwhile Welfare Department as may be specified by the Government from time to time ;
- (m) “Select list” means the list of persons prepared and published by the Orissa Staff Selection Commission in case of direct recruitment and the list prepared by the Departmental Promotion Committee and approved by the Appointing Authority in case of promotion ;
- (n) “Year” means Calendar Year.

(2) Words and expressions used in these rules but not specifically defined , shall have the same meaning as respectively assigned to them in the Orissa Service Code.

Constitution  
of Service.

**3. The Service shall consist of the following cadres, namely :—**

- (i) Junior Clerk ;
- (ii) Senior Clerk ; and
- (iii) Head Clerk.

Constitution  
of Cadre.

**4.** Each category of the ministerial employees such as Head Clerk, Senior Clerk and Junior Clerk of all District Offices shall form a separate cadre gradewise.

Method of  
recruitment.

**5.** Recruitment to the posts in the cadre of the District Offices shall be made by the following methods, namely :—

1. (a) Recruitment to the posts of Junior Clerk shall be made by direct recruitment through Competitive Examination to be conducted by the Orissa Staff Selection Commission to the extent of 70% of the total cadre strength as per the standard and syllabus specified in Appendix I and by promotion from among Group-D employees under Rule 13.

(b) (i) The remaining 30% of the total cadre strength of Junior Clerk shall be filled up by way of deputation from the District Offices of the concerned District Collector.

(ii) The period of deputation shall be for maximum period of three years and such deputationist may be reverted to the parent Department in case they are found inefficient or in exigency of the administration. Under no circumstances, the deputationist shall be absorbed in Transport Department.

(iii) To select the deputationist revenue staff to work as Junior Clerk under administrative control of the Transport Commissioner, Orissa, Cuttack, there shall be a Selection Committee as indicated below :—

Collector- <i>cum</i> -Chairman,	..	Chairman
Regional Transport Authority.		
Additional District Magistrate	..	Member
Regional Transport Officer	..	Member

2. The posts other than Junior Clerk shall be filled up by promotion in accordance with the provisions made under Rule 13.

Eligibility of  
Candidates.

**6.** A candidate in order to be eligible for appearing in the competitive examination for the post of Junior Clerk shall—

- (a) be a citizen of India,
- (b) have passed +2 in Arts/Science/Commerce or possessed such other qualification as are equivalent to +2 Examination,
- (c) be not less than 18 years and not more than 32 years of age on the first day of January of the year,

**NOTE—**The maximum upper age limit shall be relaxable by five years in case of Scheduled Caste and Scheduled Tribe candidates and by such number of years in respect of other categories of candidates as may be decided by the Government from time to time.

- (d) be of good character,
- (e) be of sound health, good physique and active habits and free from organic defects or bodily infirmity,

NOTE—This condition is not applicable to Physically Handicapped candidates.

- (f) have not more than one spouse living and in case of lady candidates have not married a person who has a wife living,
- (g) be able to speak, read and write Oriya and have —
  - (i) passed M. E. School examination with Oriya as language subject ; or
  - (ii) passed Matriculation or equivalent examination with Oriya as a medium of examination in non-language subject ; or
  - (iii) passed in Oriya as language subject in the final examination of Class VIII or above ; or
  - (iv) passed a test in Oriya in M. E. School standard conducted by Education Department ;
- (h) have paid the fees prescribed by the Orissa Staff Selection Commission.

Preparation  
of Select  
List and its  
validity.

**7.** The Select List prepared under sub-rule (1) of Rule 8 shall contain the names of the candidates 1.10 time the number of vacancies and shall remain valid for a period of one year from the date of its publication.

Allotment  
of  
Candidates.

**8. (1)** The list of successful candidates drawn in order of merit shall be published in the Notice Board of the Staff Selection Commission and in two leading local newspapers.

(2) The Staff Selection Commission shall forward the list of the successful candidates to the Appointing Authority according to the requirement received earlier for the purpose.

(3) The Appointing Authority will issue appointment orders in respect of the selected candidates posting them in the respective District Office where vacancies are available.

Gradation  
List.

**9. (1)** The Gradation List of direct recruits of Junior Clerks shall be prepared on the basis of their position in the Select List prepared by the Orissa Staff Selection Commission.

(2) Persons appointed other than the direct recruits in a year shall take rank below the direct recruits appointed during the year.

(3) The Gradation List of Senior Clerks and Head Clerks shall be prepared on the basis of their position in the Select List prepared by the Departmental Promotion Committee.

Constitution  
of  
Departmental  
Promotion  
Committee.

**10.** (1) There shall be a Committee to consider the eligibility of employees for promotion to the posts of Junior Clerk/Senior Clerk/Head Clerk, consisting of the following members, namely :—

- (i) Additional Commissioner, Transport (Administration). . . Chairman
- (ii) Under-Secretary (State Transport Authority) . . Member
- (iii) Under-Secretary, Transport Department . . Member
- (iv) Assistant Secretary, State Transport Authority . . Member-Secretary.

(2) (a) The Committee shall meet once in year to consider the suitability of eligible employees for promotion to various posts and accordingly prepare a list of such officers having regard to the provisions of the Orissa Civil Services (Zone of Consideration) Rules, 1988, Orissa Civil Services (Criteria for Promotion) Rules, 1992 and the Orissa Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003.

(b) The list so prepared shall remain valid for one year from the date of its approval by the Appointing Authority.

(3) The Commissioner shall issue appointment orders strictly in accordance with the Select List against the vacancies available in the cadre in any District Office.

Probation. **11.** (1) All persons appointed to the service shall be on probation for a period of two years with effect from the date of appointment.

(2) The Appointing Authority may terminate the services of a candidate or revert him to the post from which he has been promoted or extend the probation for such further period as he may consider necessary, if during the period of probation the candidate's work or conduct is found to be unsatisfactory or there exists reasons to believe that the candidate may not become efficient.

(3) The following period shall not be counted towards the period of probation :—

- (i) Period of extraordinary leave
- (ii) Period of unauthorized absence
- (iii) Any other period during which the candidate is not on actual duty.

Confirmation. **12.** No person shall be confirmed in the permanent post of Junior Clerk unless he has satisfactorily completed the probation period and has passed the Preliminary Accounts Examination conducted by the Madhusudan Das Regional Academy of Financial Management :

Provided that the Junior Clerks/Senior Clerks who have already passed the Final Accounts Examination conducted by Board of Revenue shall not

be required to pass the Departmental Examination provided in clause (d) of Rule 2.

Promotion. **13.** (1)(a) 10% of vacancies in the posts of Junior Clerk in District Offices from the direct recruitment quota under clause (a) of sub-rule (f) of Rule 5 shall be filled up by way of promotion from among the Group D employees of the District Offices on the basis of recommendation of the Departmental Promotion Committee :

Provided that in case required number of Group D employees are not available for promotion to the post of Junior Clerk in a particular year, those vacancies shall be filled up by candidates recruited through direct recruitment.

(b) No Group D employee shall be promoted to the post of Junior Clerk unless he has given willingness to that effect in writing and has put in minimum of 10 years of continuous service and has passed +2 Arts/ Science/Commerce or possesses such other qualification as are equivalent to pass in +2 Examination.

(c) The Heads of all District Offices shall every year furnish the list of eligible Group D employees along with their service particulars to the Appointing Authority.

(d) The Committee shall take into consideration the service records of the employees. If nothing adverse is found in the service records, the employee concerned shall be treated to have a clean career of service.

(e) A *vivavoce* test shall be conducted by the Committee for the purpose along with a test to know that the candidate have fair knowledge in typewriting.

(2) Promotion to the post of Senior Clerk shall be made from amongst the Junior Clerks of the common gradation list of that cadre who have rendered at least 4 (four) years of continuous service as such and have been confirmed.

(3) Promotion to the post of Head Clerk shall be made from amongst the Senior Clerks of the common gradation list of that cadre who have rendered a minimum of twelve years of continuous service as Senior Clerk on the first day of January of the year in which the Departmental Promotion Committee meets and shall have passed the Final Accounts Examination.

Transfer of Clerks. **14.** The services of employees in the cadre of Junior Clerks/Senior Clerks and Head Clerks shall be transferable. Such transfers shall be made by the Transport Commissioner from one District Office to another District Office. Junior Clerk and Senior Clerk shall not be allowed to continue for more than three years in a particular District Office. However, such employees can be transferred by Transport Commissioner at any point of time from one office to another on administrative grounds and in the interest of public service.

Reservation of vacancies. **15.** Notwithstanding anything contained in these rules, vacancies shall be reserved —

(a) for candidates belonging to the Scheduled Castes and Scheduled Tribes in accordance with the provision contained in Orissa Reservation of Vacancies in Posts and Services (For Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules framed thereunder ;

(b) for Physically Handicapped (persons with disabilities)/ ex-Servicemen/Sportsmen/Women/S.E.B.C. candidates to such extent as may be determined by the Government from time to time.

Relaxation. **16.** Where the Government are of the opinion that it is necessary or expedient to do so, they may, by order and for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of persons in public interest.

Repeal and Savings. **17.** All rules corresponding to these rules in force immediately before the commencement of these rules are hereby repealed :

Provided that any order of appointment made, action taken or things done under the rules so repealed shall be deemed to have been made, taken or done under these rules.

Interpretation. **18.** If any question arises relating to interpretation of these rules, it shall be referred to the Government in Commerce & Transport (Transport) Department for decision.

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## APPENDIX I

(See rule 5)

### Standard and Syllabus for Examination

The Competitive Examination shall be conducted on consist of the following subjects carrying marks as shown against each :—

Sl. No.	Subjects	Marks
(1)	(2)	(3)
1	Objective Language	100
2	Mathematics	100
3	General Knowledge	100
4	Test in Typewriting	50

#### 1. Objective Language Test :—

[50+50=100 marks (English and Oriya) 3 hours duration]

(1) Question to test English	.. 50 marks
(a) Letter writing	.. 15 marks
(b) One Oriya passage to be translated into English	.. 15 marks
(c) English Grammar—	.. 20 marks
(i) Correct use of tense	
(ii) Correct use of preposition	
(iii) Correct use of articles	
(iv) Correct use of verbs and its agreement	

(These questions shall consist a series of sentences with blanks and a group of verbs, prepositions, etc. against each sentence and the candidates shall be required to tick off the correct verb, preposition, article or tense as the case may require)

(2) Question to test Oriya	.. 50 marks
(i) Oriya Grammar (objective type)	.. 20 marks
(ii) Translation (one English passage to be translated into Oriya).	.. 15 marks
(iii) Essay writing	.. 15 marks

NOTE —The standard of examination in English and Oriya will be equivalent to +2 Examination.

#### 2. General Knowledge—Knowledge of current event and such other matters of everyday observation and experience as may be expected from an educated person.

#### 3. Mathematics (3 hours duration) .. 100 marks

[under this, there will be a series of questions in practical Mathematics required for day-to-day. The questions would be such as to test candidate's ability to work out Fractions, Decimals, Percentage, Average, Simple and Compound interest, Rates and Taxes, Insurance, Profit & Loss, Mixture, Partnership, Problems on Time and Work and Time & Distance].

#### 4. There shall be a test in typewriting to know that the candidates have fair knowledge in type-writing.

By order of the Governor

RAJALAKSHMI

Principal Secretary to Government